



W.A(MD)No.1855 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1855 of 2024
and
C.M.P.(MD)No.14041 of 2024**

- 1.The Chief Educational Officer,
Tirunelveli District.
 - 2.The District Educational Officer,
Tirunelveli District.
- ... Appellants / Respondents 1 & 2

-VS-

- 1.A.X.Mino
 - 2.The Correspondent,
Child Jesus Girls' Higher
Secondary School,
Palayamkottai,
Tirunelveli District.
- ... 1st Respondent/ Writ Petitioner
- ... 2nd Respondent / 3rd Respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 11.12.2023 in W.P.(MD)No.11101 of 2023.

For Appellants : Mr.S.P.Maharajan,
Special Government Pleader

For R-1 : Mr.V.Panner Selvam



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JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

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Challenge is to the order of the writ Court directing approval of the appointment of the 1st respondent as B.T.Assistant in English.

2. The main ground of rejection was that there are surplus teachers in other aided schools. This Court has held that availability of surplus teachers in other aided schools cannot be a ground for rejecting approval if the post is a sanctioned post.

3. The absence of TET qualification is also made a ground. Even that ground has been rejected by this Court and this Court has consistently held that TET qualification is not necessary for appointment in a minority school.

4. Hence, we see no reason to interfere with the order of the writ Court. The Writ Appeal therefore, fails and it is accordingly dismissed. It is also seen that the approval has been granted to the appointment after the disposal of the writ petition. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

16.10.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Sml



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